

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Plastina et al.

Art Unit 2178

Serial No. 10/622,767

Filed 07/18/2003

Confirmation No. 8977

For ASSOCIATING IMAGE FILES WITH MEDIA CONTENT

Examiner Manglesh M. Patel

**DECLARATION OF PLASTINA ET AL. UNDER 37 C.F.R. § 1.131(a)**

TO THE COMMISSIONER FOR PATENTS,

SIR:

This declaration establishes completion of the invention of the above-identified application in the United States before February 7, 2003, the publication date of MusicMatch Jukebox User's Guide, cited by the Examiner.

We, Daniel Plastina, and Michael Novak declare as follows:

1. We are joint inventors of the subject matter claimed in the above-identified U.S. Patent Application Serial No. 10/622,767.

2. a) I, Daniel Plastina, am currently employed by Microsoft Corporation of Redmond, Washington as a Program Manager Architect.

b) I, Michael Novak, am currently employed by Microsoft Corporation of Redmond, Washington as a Senior Software Design Engineer.

3. Exhibits A, B, and C, attached to this Declaration, are submitted as evidence of reduction to practice of the invention claimed in this patent application. Exhibit A is a section of computer programming code that we prepared before February 7, 2003. The code downloads an image file based on a media content identifier and stores the image file as a function of the identifier.

4. Exhibit B is an electronic mail message, having portions redacted, that accompanied checkin of the computer programming code in Exhibit A into a build. Exhibit B shows that the code segment of Exhibit A was incorporated into an application program.

5. Exhibit C is a testing results document, having portions redacted, relating to the section of computer programming code shown in Exhibit A. Exhibit C shows how the application program that the code segment of Exhibit A operated before the code segment was included in the application program, and that after including the code segment of Exhibit A, the application program worked for its intended purpose to either display from local memory or download and display an image file related to media content selected for rendering.

6. We declare that the embodiments of the invention as illustrated by the computer programming code shown in Exhibit A submitted herewith and as illustrated and described in the Application produced the desirable result of associating an image file with media content as claimed before February 7, 2003.

7. We declare the computer programming code representing embodiments of the invention and as illustrated by the computer programming code in Exhibit A and as illustrated and described in the Application was submitted to Microsoft internal code-checking and testing procedures before February 7, 2003. Also, we declare that the testing results as shown in Exhibit C prove that the computer programming code shown in Exhibit A was executed by a computing device for its intended purpose of associating an image file with media content as claimed before February 7, 2003.


8. In accordance with MPEP § 715.07, we allege that the acts referred to herein regarding reducing the invention to practice occurred before February 7, 2003.

9. Based on the foregoing, we believe that we are the original inventors of the invention claimed in this patent application.

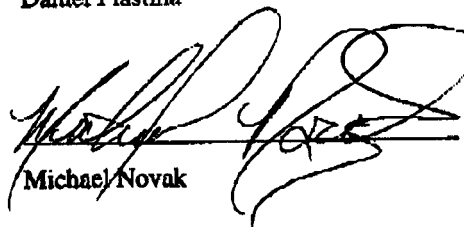
10. Based on the foregoing, we believe that we reduced to practice the claimed invention in the United States before the publication date of MusicMatch Jukebox User's Guide, which was February 7, 2003.

11. We each declare that all statements made herein of our knowledge are true; and further that these statements were made with the knowledge that willfully making false statements is punishable by fine, imprisonment, or both, under 18 U.S.C. ' 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

8/18/2006  
Date

  
Daniel Plastina

8/18/2006  
Date

  
Michael Novak

## **Exhibit A**

Change 85762 by REDMOND\mnovak@MNOVAK9 on 2002/07/18 22:41:55

HRESULT

```
CWMMetadataHelper::PropagateExtraDataToRippedFileDirectory(
    CWMMetadataHelperData *pMetahelperData,
    const WCHAR *pwszCollectionID,
    const WCHAR *pwszRippedPath,
    const WCHAR *pwszBuyNowURL,
    const WCHAR *pwszSmallArtPathIECache,
    const WCHAR *pwszLargeArtPathIECache )
{
    E_POINTER_RETURN( pMetahelperData );
    E_POINTER_RETURN( pwszRippedPath );

    HRESULT hr = S_OK;

    do
    {
        // It's OK if either of the "art paths" are NULL.

        if ( NULL == pMetahelperData || NULL == pwszRippedPath )
        {
            hr = E_POINTER;
            break;
        }

        WString wszSmallArt;
        WString wszLargeArt;

        if (pwszCollectionID)
        {
            wszSmallArt.Sprintf( L"%s%s%s", g_kwszAlbumArtPrefix, pwszCollectionID,
g_kwszArtSuffixSmall );
            wszLargeArt.Sprintf( L"%s%s%s", g_kwszAlbumArtPrefix, pwszCollectionID,
g_kwszArtSuffixLarge );
        }

        // Now, we need to copy both the downloaded album art files to this location,
        // using standard file names for both.
        // *** Note that the path being passed in needs to be a local path, not a true URL. ***

        if ( NULL != pwszSmallArtPathIECache && 0 != wcslen( pwszSmallArtPathIECache ))
        {
            hr = CopyIECacheFileToRippedDir( pwszRippedPath, pwszSmallArtPathIECache,
g_wszWM_ALBUM_ART_SMALL_FILENAME );

            if (SUCCEEDED(hr) && wszSmallArt.HasLength())
            {
                hr = CopyIECacheFileToRippedDir( pwszRippedPath, pwszSmallArtPathIECache, wszSmallArt
);
            }

            if ( FAILED( hr ))
```

```
        {
            break;
        }
    }

    if ( NULL != pwszLargeArtPathIECache && 0 != wcslen( pwszLargeArtPathIECache ))
    {
        hr = CopyIECacheFileToRippedDir( pwszRippedPath, pwszLargeArtPathIECache,
g_wszWM_ALBUM_ART_LARGE_FILENAME );

        if (SUCCEEDED(hr) && wszLargeArt.HasLength())
        {
            hr = CopyIECacheFileToRippedDir( pwszRippedPath, pwszLargeArtPathIECache, wszLargeArt
);
        }

        if ( FAILED( hr ))
        {
            break;
        }
    }

    // Also create the Desktop.ini file with BuyNow URL.
    // The More Info URL is ignored for now.....
    // We do this unconditionally when we get BASE metadata.
    // here, we create the file only if it does not already exist.

    hr = CreateDesktopIniFile( pwszRippedPath,
                             pMetahelperData->m_wbstrPrefCDRecordPath,
                             pMetahelperData->m_wbstrPartnerPolicy,
                             pMetahelperData->m_wbstrPartnerPrefix,
                             pwszBuyNowURL,
                             TRUE );

    if ( FAILED( hr ))
    {
        break;
    }
}
while( FALSE );

WMPDebugLogging::Write( L"CWMMetadataHelper::PropagateExtraDataToRippedFileDirectory -
Returned %08X", hr );

return( hr );
}
```

**Exhibit B**

**From:** Michael Novak  
**Sent:** Friday, July 19, 2002 12:43 AM  
**To:** Windows Media Build Notification  
**Subject:** Checkin [WMP/Corona]: Bugs

**Code Review:**  
davidna

**Enlistment:**  
\\mnovak9\nt

**Buddy Build:**  
Myronth (pending)

**DevBVT:**  
ran & passed

**Bugs:**

104535 \*\*AlbumArt display: we display the wrong album art by default for a folder that has tracks from different folders

**Description:**

Major album art fixes

**Files (added / removed)**

Change 85762 by REDMOND\mnovak@MNOVAK9 on 2002/07/18 22:41:55

104535 \*\*AlbumArt display: we display the wrong album art by default for a folder that has tracks from different folders

### Exhibit C

3/11/2003 11:30 AM Upgraded from NMPU\_WMT - bug 104535 by erindall (PS Administrators) (Bug 104535 - WMLegacy)

===== Opened by lindaav on 07/15/2002 11:30AM =====

PIII 500, 128mb, xp gold, 2771 player

1. We have a major feature that we are promoting on XP -- getting metadata for files that you did not rip in WMP
2. A VERY common scenario is that the user has a folder of tracks from mixed albums. For instance, it might be a folder of Bob Seger tracks (from a lot of different albums) or a folder of Christmas music (from a lot of different albums and artists)
3. Corona default -- which means at least 80% of the people will run this way -- is rename/regroup is OFF.
4. This means that when we do our metadata update magic, and then play those tracks, the album art will be wrong.

Problem1: we are saying we have a major metadata feature. Unfortunately, as currently stands, it only works for stuff grouped as albums. We need to investigate being able to target album art to the track (via guid or something) OR something. This is very bad behavior and is a non-feature for anyone other than those upgrading libraries of content ripped in Helix or Cyprus.

Problem2: I recommend we honor album art in the file over the folder. For Helix, album art in the file was the last choice because we did not have the capability to either add or delete. I recommend that this logic change for Corona. Those people who go to the trouble of adding album art will want to see it

===== Assigned by mnovak on 07/18/2002 10:15PM =====

--> Title: \*AlbumArt display: we display the wrong album art by default for a folder that has tracks from different folders --> \*\*AlbumArt display: we display the wrong album art by default for a folder that has tracks from different folders

OK, Album art from the file now wins.

Each album art download goes to its own {GUID} name.

===== Assigned by lindaav on 07/20/2002 02:21PM =====

VERIFIED IN 2777 AND 2778. Fixed.

===== Closed by erindall on 07/22/2002 01:57PM =====

--> Status: Resolved -> Closed

--> AssignedTo: erindall -> Closed

on bbtpt this no longer repro's. build 2780